

Express Mail Label No. EV 351300965 US

*(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))*

Commissioner for Patents  
Mail Stop Patent Application  
P.O. Box 1450  
Alexandria VA 22313-1450

ADDRESS TO:

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ **Fee Transmittal Form** (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☐ **Applicant claims small entity status.**  
See 37 CFR 1.27. 14
3. ☒ **Specification** [Total Pages 14]  
(preferred arrangement set forth below)
- Descriptive title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings ( if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ **Drawing(s)** (35 U.S.C.113) [Total Sheets 3]
5. **Oath or Declaration** [Total Sheets 6]
- a. ☒ Newly executed (original or copy)
- b. ☐ Copy from a prior application (37 CFR 1.63 (d))  
(for a continuation/divisional with Box 18 completed)
- i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b).
6. ☐ **Application Data Sheet.** See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (*Appendix*)
8. Nucleotide and/or Amino Acid Sequence Submission (*if applicable, all necessary*)
- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ paper
- c. ☐ Statements verifying identity of above copies

### ACCOMPANYING APPLICATIONS PARTS

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 C.F.R. 3.73(b) Statement ☒ Power of Attorney  
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☒ Nonpublication Request under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form PTO/SB/35  
or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation      ☐ Divisional      ☐ Continuation-in-part (CIP)      of prior application No: \_\_\_\_\_ / \_\_\_\_\_  
Prior application information:      Examiner \_\_\_\_\_      Art Unit: \_\_\_\_\_

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☒ *Customer Number or Bar Code Label*

000031894

or ☐ Correspondence address below

(Insert Customer No. or Attach bar code label here)

Name \_\_\_\_\_

**Address**

City

State

Zip Code

Country

Telephone

Fax

Name (Print/Type)

Patrick D. Benedicto

Registration No. (Attorney/Agent)

40,909

**Signature**

Paini Bedu

Date \_\_\_\_\_

August 1, 2003

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

... from well 4 and DTL-0100 and select option 2

08/01/03

16086 U.S. PTO

PTO/SB/17 (05-03)

Approved for use through 04/30/2003. OMB 0651-0032  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL  
for FY 2003**

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 1,342.00

Complete if Known	
Application Number	not yet known
Filing Date	August 1, 2003
First Named Inventor	Douglas H. Rose
Examiner Name	not yet known
Art Unit	not yet known
Attorney Docket No.	10031.000400

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)																																																																																																																																																																															
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money <input type="checkbox"/> Other <input type="checkbox"/> None Order <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number: 50-2427 Deposit Account Name: OKAMOTO & BENEDICTO LLP The Director is authorized to: (check all that apply) <input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.		<b>3. ADDITIONAL FEES</b> <table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td>1051</td> <td>130</td> <td>Surcharge - late filing fee or oath</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1052</td> <td>50</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1053</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1812</td> <td>2,520</td> <td>For filing a request for reexamination</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1804</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1805</td> <td>1,840*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1251</td> <td>110</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1252</td> <td>410</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1253</td> <td>930</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1254</td> <td>1,450</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1255</td> <td>1,970</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1401</td> <td>320</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1402</td> <td>320</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1403</td> <td>280</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1451</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1452</td> <td>110</td> <td>Petition to revive - unavoidable</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1453</td> <td>1,300</td> <td>Petition to revive - unintentional</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1501</td> <td>1,300</td> <td>Utility issue fee (or reissue)</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1502</td> <td>470</td> <td>Design issue fee</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1503</td> <td>630</td> <td>Plant issue fee</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1460</td> <td>130</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1807</td> <td>50</td> <td>Processing fee under 37 CFR 1.17 (q)</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1806</td> <td>180</td> <td>Submission of Information Disclosure Stmt</td> <td></td> </tr> <tr> <td></td> <td></td> <td>8021</td> <td>40</td> <td>Recording each patent assignment per property (times number of properties)</td> <td>40</td> </tr> <tr> <td></td> <td></td> <td>1809</td> <td>750</td> <td>Filing a submission after final rejection (37 CFR § 1.129(a))</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1810</td> <td>750</td> <td>For each additional invention to be examined (37 CFR § 1.129(b))</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1801</td> <td>750</td> <td>Request for Continued Examination (RCE)</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1802</td> <td>900</td> <td>Request for expedited examination of a design application</td> <td></td> </tr> </tbody> </table>		Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid			1051	130	Surcharge - late filing fee or oath				1052	50	Surcharge - late provisional filing fee or cover sheet				1053	130	Non-English specification				1812	2,520	For filing a request for reexamination				1804	920*	Requesting publication of SIR prior to Examiner action				1805	1,840*	Requesting publication of SIR after Examiner action				1251	110	Extension for reply within first month				1252	410	Extension for reply within second month				1253	930	Extension for reply within third month				1254	1,450	Extension for reply within fourth month				1255	1,970	Extension for reply within fifth month				1401	320	Notice of Appeal				1402	320	Filing a brief in support of an appeal				1403	280	Request for oral hearing				1451	1,510	Petition to institute a public use proceeding				1452	110	Petition to revive - unavoidable				1453	1,300	Petition to revive - unintentional				1501	1,300	Utility issue fee (or reissue)				1502	470	Design issue fee				1503	630	Plant issue fee				1460	130	Petitions to the Commissioner				1807	50	Processing fee under 37 CFR 1.17 (q)				1806	180	Submission of Information Disclosure Stmt				8021	40	Recording each patent assignment per property (times number of properties)	40			1809	750	Filing a submission after final rejection (37 CFR § 1.129(a))				1810	750	For each additional invention to be examined (37 CFR § 1.129(b))				1801	750	Request for Continued Examination (RCE)				1802	900	Request for expedited examination of a design application	
Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																												
		1051	130	Surcharge - late filing fee or oath																																																																																																																																																																													
		1052	50	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																													
		1053	130	Non-English specification																																																																																																																																																																													
		1812	2,520	For filing a request for reexamination																																																																																																																																																																													
		1804	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																													
		1805	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																													
		1251	110	Extension for reply within first month																																																																																																																																																																													
		1252	410	Extension for reply within second month																																																																																																																																																																													
		1253	930	Extension for reply within third month																																																																																																																																																																													
		1254	1,450	Extension for reply within fourth month																																																																																																																																																																													
		1255	1,970	Extension for reply within fifth month																																																																																																																																																																													
		1401	320	Notice of Appeal																																																																																																																																																																													
		1402	320	Filing a brief in support of an appeal																																																																																																																																																																													
		1403	280	Request for oral hearing																																																																																																																																																																													
		1451	1,510	Petition to institute a public use proceeding																																																																																																																																																																													
		1452	110	Petition to revive - unavoidable																																																																																																																																																																													
		1453	1,300	Petition to revive - unintentional																																																																																																																																																																													
		1501	1,300	Utility issue fee (or reissue)																																																																																																																																																																													
		1502	470	Design issue fee																																																																																																																																																																													
		1503	630	Plant issue fee																																																																																																																																																																													
		1460	130	Petitions to the Commissioner																																																																																																																																																																													
		1807	50	Processing fee under 37 CFR 1.17 (q)																																																																																																																																																																													
		1806	180	Submission of Information Disclosure Stmt																																																																																																																																																																													
		8021	40	Recording each patent assignment per property (times number of properties)	40																																																																																																																																																																												
		1809	750	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																																																																													
		1810	750	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																																																																													
		1801	750	Request for Continued Examination (RCE)																																																																																																																																																																													
		1802	900	Request for expedited examination of a design application																																																																																																																																																																													
<b>1. BASIC FILING FEE</b> <table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td>1001</td> <td>750</td> <td>Utility filing fee</td> <td>750</td> </tr> <tr> <td></td> <td></td> <td>1002</td> <td>330</td> <td>Design filing fee</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1003</td> <td>520</td> <td>Plant filing fee</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1004</td> <td>750</td> <td>Reissue filing fee</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1005</td> <td>160</td> <td>Provisional filing fee</td> <td></td> </tr> </tbody> </table>		Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid			1001	750	Utility filing fee	750			1002	330	Design filing fee				1003	520	Plant filing fee				1004	750	Reissue filing fee				1005	160	Provisional filing fee		<b>2. EXTRA CLAIM FEES</b> <table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td>1202</td> <td>18</td> <td>Claims in excess of 20</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1201</td> <td>84</td> <td>Independent claims in excess of 3</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1203</td> <td>280</td> <td>Multiple dependent claim, if not paid</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1204</td> <td>84</td> <td>** Reissue independent claims over original patent</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1205</td> <td>18</td> <td>** Reissue claims in excess of 20 and over original patent</td> <td></td> </tr> </tbody> </table>		Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid			1202	18	Claims in excess of 20				1201	84	Independent claims in excess of 3				1203	280	Multiple dependent claim, if not paid				1204	84	** Reissue independent claims over original patent				1205	18	** Reissue claims in excess of 20 and over original patent																																																																																																							
Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																												
		1001	750	Utility filing fee	750																																																																																																																																																																												
		1002	330	Design filing fee																																																																																																																																																																													
		1003	520	Plant filing fee																																																																																																																																																																													
		1004	750	Reissue filing fee																																																																																																																																																																													
		1005	160	Provisional filing fee																																																																																																																																																																													
Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																												
		1202	18	Claims in excess of 20																																																																																																																																																																													
		1201	84	Independent claims in excess of 3																																																																																																																																																																													
		1203	280	Multiple dependent claim, if not paid																																																																																																																																																																													
		1204	84	** Reissue independent claims over original patent																																																																																																																																																																													
		1205	18	** Reissue claims in excess of 20 and over original patent																																																																																																																																																																													
<b>SUBTOTAL (1)</b> (\$) 750		<b>SUBTOTAL (2)</b> (\$) 552																																																																																																																																																																															
<b>2. EXTRA CLAIM FEES</b> Total Claims: 32 - 20 ** = 12 X 18 = 216 Independent Claims: 7 - 3 ** = 4 X 84 = 336 Multiple Dependent: X = 0		Other fee (specify) _____ *Reduced by Basic Filing Fee Paid <b>SUBTOTAL (3)</b> (\$) 40																																																																																																																																																																															
**or number previously paid, if greater; For Reissues, see above																																																																																																																																																																																	

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Patrick D. Benedicto	Registration No. Attorney/Agent	40,909
Signature	<i>Patrick D. Benedicto</i>	Telephone	(408) 436-2110
		Date	August 1, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O.

<b>NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor		Douglas H. Rose
	Title	ETCHING OF SOLAR CELL MATERIALS	
	Atty Docket Number		10031.000400

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

August 1, 2003

Date

*Patrick D. Benedicto*

Signature

(408) 436-2110

Telephone number.

Patrick D. Benedicto, Reg No. 40,909

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.